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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/099,894

03/14/2002

Stephen L. Ward

WMII.CON

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7590

07/30/2004

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EXAMINER

FERGUSON, KEITH

ART UNIT

PAPER NUMBER

2683

5

DATE MAILED: 07/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/099,894

Applicant(s)

WARD ET AL.

Examiner

Keith T. Ferguson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-13 and 15 is/are allowed.
- 6) ☒ Claim(s) 1-6 and 14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Specification*

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-4 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhatia in view of Owensby.

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Regarding claim 1, Bhatia discloses a method for providing information services (address information services) to a wireless device roaming in a wireless system (abstract and col. 1 lines 30-52), comprising the steps of: receiving normal network message traffic information (user request sent using an USSD message) (col. 2 lines 27-34); extracting roamer information (present location and/or cell global identity for the mobile station) from the normal network message traffic information (col. 2 lines 32-45); and selecting a message (member entries of selected business) to be transmitted to the roaming wireless device (col. 2 lines 57-67 and col. 3 lines 1-6). Bhatia differs from claim 1 of the present invention in that it does not explicitly disclose monitoring a wireless system for normal network message traffic information, intercepting the normal network message traffic information from the monitored wireless system; identifying a roaming device from the extracted roamer information. Owensby teaches a base station for monitoring a wireless system for normal network message traffic information (call signal from a mobile station) (paragraph 0017) and for intercepting the normal network message traffic information from the monitored wireless system (i.e. the base station receives the call signal); identifying a device from the extracted the information (paragraph line 0053 line 9 through paragraph 0054 line 19). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bhatia with monitoring a wireless system for normal network message traffic information, intercepting the normal network message traffic information from the monitored wireless system; identifying a roaming device from the extracted roamer information in order to determine the mobile station request when roaming through a particular area and provide a gas station information to the mobile station, as taught by Owensby.

Regarding claim 2, Bhatia discloses tapping a connection between a Visitors Location Register and a Mobile Switching Center in a wireless system (col. 2 lines 11-15).

Regarding claim 3, Bhatia discloses receiving a copy message (USSD message sent previous to the Visitors Location

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Register and a Mobile Switching Center, now being sent to a database) (copy message) transmitted between a Visitors Location Register and a Mobile Switching Center (col. 2 lines 43-45).

Regarding claim 4, Bhatia discloses obtaining the normal network traffic information in a message received from a Visitor location register (HLR receives the normal network traffic information) (col. 2 lines 28-31), and responses made to inquiries directed to a Visitors Location Register and a Mobile Switching Center (USSD message sent to the Visitors Location Register and a Mobile Switching Center where the HLR determines the present location and/or cell global identity for the mobile station) (response) (col. 2 lines 28-34).

4. Claims 5 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhatia in view of Owensby as applied to claim 1 above and in further view of Hanley.

Regarding claims 5 and 14, the combination of Bhatia and Owensby differs from claims 5 and 14 of the present invention in that they do not disclose using an IS-41 monitoring device to monitor IS-41 traffic and extracting roamer information messages. Hanley teaches an IS-41 monitoring device (home mobility node) to monitor IS-41 traffic (col. 6 lines 33-38) and

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extracting roamer information messages (routing numbers) (col. 6 lines 3-9 and col. 6 lines 20-26). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the combination of Bhatia and Owensby with using an IS-41 monitoring device to monitor IS-41 traffic and extracting roamer information messages in order for the Home Location Register, Visitors Location Register, and a Mobile Switching Center to communicate and transfer roamer information using the IS-41 protocol through IS-41 links to process the request of the mobile station of information service needed, as taught by Hanley.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bhatia in view of Owensby as applied to claim 1 above and in further view of Ladue.

Regarding claim 6, the combination of Bhatia and Owensby differs from claim 6 of the present invention in that they do not disclose an ESN, MIN 1, MIN2, and an SID of the wireless device home network. Ladue teaches an ESN, MIN1, MIN2, and an SID of the wireless device home network (col. 18 lines 4-15). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the combination of Bhatia and Owensby with an ESN, MIN1, MIN2, and

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an SID of the wireless device home network in order to for the Visitors Location Register/Mobile Switching Center (MSC/VLR) to determine the electronic serial number, mobile station identity and system identification of the mobile station that is requesting information service and check if the mobile station is eligible for service by checking the mobile station profile in the HLR when it registers with the wireless system, as taught by Ladue.

***Allowable Subject Matter***

6. Claims 7-13 and 15 are allowed.

7. The following is a statement of reasons for the indication of allowable subject matter: Claim 7 is distinguished over prior art because of applicants remarks on page 10 lines 13-20 within a preliminary amendment mailed November 21, 2003. The prior art of record fails to teach or suggest, alone or in combination a method for providing information services to a wireless device roaming in a wireless system, comprising the steps of: obtaining normal network message traffic information from the wireless system, and transmitting the normal network information to a protocol converter; in the protocol converter, extracting roaming information from the normal network message traffic information, in combination with, **converting the roamer information into a protocol analyzer format; transmitting a**

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query to a Mobile Switching Center requesting information regarding the wireless device's serving cell; receiving information regarding the wireless device's serving cell with the converted roaming information to form a roamer trigger; transmitting the trigger to a protocol analyzer; in the protocol analyzer, extracting specific information pieces regarding the wireless device; transmitting the extracted specific information to a data interpreter; in the data interpreter, translating the specific information pieces into format needed to determine a message to be sent to the wireless device; and transmitting the specific information pieces to a message selection and delivery system.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (703) 305-4888. The examiner can normally be reached on 6:30am-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Keith Ferguson  
Art Unit 2683  
July 14, 2004

A handwritten signature in black ink, appearing to read 'Keith F.', with a long horizontal stroke extending to the right.